

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

UNITED STATES OF AMERICA

VS.

CHARLIE GENE FUTCH,

Supervised Releasee

NO. 5: 01-CR-76 (WDO)

RE: VIOLATION OF SUPERVISED RELEASE

ORDER

CHARLIE GENE FUTCH, a **SUPERVISED RELEASEE** in the above-styled criminal proceeding, this day appeared before the undersigned for hearing under provisions of Rule 32.1 of the ***Federal Rules of Criminal Procedure***. He was advised of the nature of the proceedings against him and of his legal and constitutional rights. With the assistance of legal counsel, Mr. Brian Randall of the Macon Bar, said **SUPERVISED RELEASEE** waived a preliminary hearing under Rule 32.1(a)(1) of the ***Rules*** and agreed that a ***FINAL*** hearing could be scheduled under Rule 32.1(a)(2).

Upon consideration of the provisions of 18 U.S.C. §3143(a), the court finds that release from custody at this time is inappropriate in this case. It is alleged in the PETITION FOR ACTION ON SUPERVISED RELEASE that Mr. Futch has violated conditions of supervision by using amphetamine/methamphetamine and by pleading guilty in Upson Superior Court on April 10, 2006, to the offense of Possession of Methamphetamine. He is currently serving a state sentence of incarceration on this charge. He is before this court on a writ from the State of Georgia; hence, release from custody is moot. Therefore, IT IS ORDERED AND DIRECTED that he be **DETAINED** by the United States Marshal until further order of the court.

While held in custody, said **SUPERVISED RELEASEE** shall be afforded reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility wherein he is confined shall deliver him to the United States Marshal for the purpose of an appearance in connection with this court proceeding. Said supervised releasee shall appear before the Honorable Wilbur D. Owens, Jr. district judge, for a FINAL HEARING as directed by Judge Owens. The Clerk of Court is directed to forward this order and the within file to Judge Owens for the scheduling of said FINAL HEARING at the earliest possible time.

SO ORDERED AND DIRECTED, this 30th day of MAY, 2006.



A handwritten signature in blue ink, reading "Claude W. Hicks, Jr." The signature is fluid and cursive, with the first name "Claude" being the most prominent.

CLAUDE W. HICKS, JR.
UNITED STATES MAGISTRATE JUDGE